

RESPONSE TO NOTICE OF NON-COMPLIANT  
AMENDMENT UNDER 37 C.F.R. § 1.121  
U.S. Application No. 09/886,121

**REMARKS**

Review and reconsideration on the merits are requested.

Turning first to the rejection under 35 U.S.C. § 112, second paragraph, claim 1 is amended to include a photosensitive layer.

The limitation to the beginning of claim 1 finds basis at page 4, line 28 to page 5, line 4 of the specification.

Withdrawal is requested.

Turning now to the rejection of claims 1-2 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent 5,702,850 Nishioka et al (Nishioka), the rejection of these claims is respectfully traversed.

Applicants offer the following remarks in traversal.

One major critical feature recited in claim 1 is that the photosensitive material comprises a photosensitive layer.

Nishioka discloses a thermosensitive reversible colored image-recording and disappearing material comprising a substrate sheet and a thermosensitive colored image forming layer formed on a substrate sheet and comprising a substantially colorless dye precursor and a reversible color-developing and disappearing agent reactive with the dye precursor to thereby develop a color upon heating and make the color disappear upon heating to a temperature lower than the color-developing temperature, and a binder (col. 4, lines 46-54).

Nishioka thus merely provides a thermosensitive reversible colored image recording and disappearing (erasing) material containing a thermosensitive reversible color-developing and

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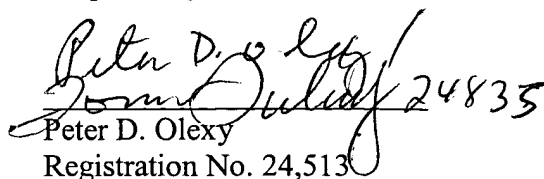
disappearing (erasing) agent (col. 1, lines 6-9), quite different from the present invention in not containing a photosensitive layer.

Specifically, the reversibly decolorable colored layer used in the photosensitive material recited in claim 1 of the present application essentially acts, as a filter layer which is in a colored state at room temperature and is reversibly decolored in total at a temperature equal to or higher than a decoloration initiation temperature, different in decoloring mechanism from Nishioka, whereby the photosensitive material exhibits excellent stability even under hard storage conditions and can be easily decolored if necessary (see page 4, lines 12-16, page 6, lines 25-29 and page 86, line 26 to page 87, line 2 of the specification).

Therefore, one skilled in the art referring to Nishioka, which does not teach or suggest a reversibly decolorable colored layer, would not be motivated to reach the invention recited in amended claim 1, and, accordingly, amended claim 1 of the present application is not anticipated by or obvious over Nishioka.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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